

BOARD OF APPEAL REFERRALS

January 14, 1976

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380 Harrison Avenue, Boston

MEMORANDUM

January 14, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 1/27/76 Petition No. Z-3497
 Louis Mian
 545-549-551 Rutherford Avenue, Charlestown
 at Gurnet Court

Three-story masonry structure - manufacturing (M-2) district.

Purpose: to change occupancy from awning manufacturing and sales to tile contractor and one apartment.

Violation:

Section 8-7. Apartment is forbidden in an M-2 district.

Residential unit would be occupied by petitioner. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3497, brought by Louis Mian, 545-549-551 Rutherford Avenue, in the Charlestown Urban Renewal Area, for a forbidden use for a change of occupancy from awning manufacturing and sales to tile contractor and one apartment in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review and that proposal complies with all applicable provisions of the Charlestown Urban Renewal Plan.

Z-3497

545-549-551 RUTHERFORD AVE
(CHSN.)



Board of Appeal Referrals 1/14/76

Hearing: 1/13/76

Petition No. Z-3502

Duddy Tires, Inc.

Tow, Inc. (lessee)

150-154 North Beacon Street, Brighton
at Etna Street

Two-story structure - local business (L-1) district.

Purpose: to change occupancy from wholesale-retail of tires to wholesale-retail of tires and storage of motor vehicles.

Violations:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Section 8-7. Parking lot is conditional in an L-1 district.

Petitioner states premises would be utilized for the storage and safekeeping of 82 motor vehicles. Some storage is already occurring, illegally. Site is inappropriate, abutting residential neighborhood. Use would create noise and additional traffic on narrow streets. Community is strongly opposed.

Recommend denial.

VOTED: In reference to Petition No. Z-3502, brought by Duddy Tires, Inc., and Tow, Inc., 150-154 North Beacon Street, Brighton, for two conditional uses for a change of occupancy from wholesale-retail of tires to wholesale-retail of tires and storage of motor vehicles in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate, abutting residential neighborhood. Use would create noise and additional traffic on narrow streets. Community is strongly opposed. Present illegal storage should be terminated.



Z-3502

150-154 NORTH BEACON ST.

(BRI.)

Board of Appeal Referrals 1/14/76

Hearing: 1/13/76

Petition No. Z-3503
 George Constantino
 25 Manila Avenue, Hyde Park
 near Norton Street

1½-story frame structure - single-family (S-.5) district.

Purpose: to change occupancy from one-family dwelling to one-family dwelling and beauty shop.

Violations:	<u>Required</u>	<u>Proposed</u>
Section 8-7. A beauty shop is forbidden in an S-.5 district.		
Section 18-1. Front yard is insufficient.	30 ft.	12 ft.
Section 20-1. Rear yard is insufficient.	30 ft.	19 ft.

Petitioner proposes to operate the facility in the basement of this ranch-type structure. The use would set an undesirable precedent, create on-street parking, and be inimical to the residential nature of the single-family street. Recommend denial.

VOTED: In reference to Petition No. Z-3503, brought by George Constantino, 25 Manila Avenue, Hyde Park, for a forbidden use and two variances for a change of occupancy from one-family dwelling to one-family dwelling and beauty shop in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposed use would set an undesirable precedent, create on-street parking, and be inimical to the nature of this single-family street.

Z-3503
25 MANILA AVE.
(H.P.)



Board of Appeal Referrals 1/14/76

Hearing: 1/13/76

Petition No. Z-3504
Philip E. Pofcher
6 Atherton Avenue, Roslindale
near Washington Street

2½-story frame structure - residential (R-.5) district.

Purpose: to erect dormer addition to four-family dwelling.

Violation:

Section 9-1. Extension of a nonconforming use requires Board of Appeal approval.

Dormer would provide additional egress and facilitate attic ventilation without creating additional apartments or affecting surrounding properties. Recommend approval.

VOTED: In reference to Petition No. Z-3504, brought by Philip E. Pofcher, 6 Atherton Avenue, Roslindale, for an extension of a nonconforming use to erect a dormer addition to a four-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Dormer would not create additional apartments or affect surrounding properties.

(RGS.)

GRADE

Board of Appeal Referrals 1/14/76

Hearing: 1/13/76

Petitions Nos. Z-3505-3507
Bethlehem Steel Corporation
231, 270, 276-280 Marginal Street,
East Boston
near Jeffries Street

Shipyard complex - manufacturing (M-2) and waterfront (W-2) districts.

Purpose: to change occupancy from locker rooms to lodging house (20 lodgers); change occupancy from restaurant and storage to lodging house (21 lodgers); change occupancy from garage and storage to lodging and/or boarding house (250 lodgers).

Violations:

Section 8-7. A lodging and/or boarding house is forbidden in M-2 and W-2 districts.

Petitioner has entered into a contract with the Federal government to repair a Navy ship. Terms of the contract require the petitioner to provide housing accommodations for ship personnel within the complex. Proposal is a reasonable use of land and structures, which would not have an adverse impact on the area. Recommend approval.

VOTED: In reference to Petitions Nos. Z-3505-3507, brought by Bethlehem Steel Corporation, 231, 270, 276-280 Marginal Street, East Boston, for three forbidden uses to change occupancy of three structures to three lodging and/or boarding houses in manufacturing (M-2) and waterfront (W-2) districts, the Boston Redevelopment Authority recommends approval. Proposal is a reasonable use of land and structures, which would not have an adverse impact on the area.



Z-3505-07

231, 270, 276, 280 MARGINAL ST

(E.B.)

ROAD

PIER NO 4

PROCESSES

CONVEYOR

CONVEYOR

CONVEYOR

CONVEYOR

ALBANY

MARGINAL AVENUE

COTTAGE

SUMMER

SUMMER PL

OUR LADY OF ASSUMPTION CHURCH

EVERETT

SEAFAR

BROOK

MEMORIAL

LAWSON

WINDING

MOORE COURT

CASTLE

RAIL

BRAMON

STREET

STREET

STREET

STREET

STREET

STREET

STREET

STREET

PRIVATE

STREET

KERRIES

STREET

MOBILE CRANES

DRY DOCK

Board of Appeal Referrals 1/14/76

Hearing: 1/20/76

Petition No. Z-3508
Annie Leeder
400-406 Stuart Street and
135-145 Clarendon Street, Boston

18,000 square feet of land - general business (B-8) district.

Purpose: use premises for valet open air parking lot (60 spaces)
charging a fee.

Violation:

Section 8-7. A parking lot is conditional in a B-8 district.

Petitioner states the proposed use of the property would be "a temporary expedient until economic conditions change and enable a more permanent development."

Pending Environmental Protection Agency regulations allow temporary parking lots only on a year-to-year basis. Staff recommends that conditional approval be granted for three years subject to review each year by the Authority for the EPA. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3508, brought by Annie Leeder, 400-406 Stuart Street and 135-145 Clarendon Street, Boston, for a conditional use to use premises for valet open air parking lot (60 spaces) charging a fee in a general business (B-8) district, the Boston Redevelopment Authority recommends approval of the use for three years subject to annual review by the Authority in its regulatory capacity for the Environmental Protection Agency.

Board of Appeal Referrals 1/14/76

Hearing: 1/13/76

Petition No. Z-3509
 Boston Housing Authority
 242-244 West Broadway, South Boston
 near C Street

Four-story masonry structure - general business (B-1) district.

Purpose: to change occupancy from six apartments and store to halfway house, day care center, and professional offices.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 14-2. Lot area for additional unit is insufficient.	1,000 sf	0
Section 23-3. Off-street parking is insufficient.		

Proposed halfway house, with accommodations for 20 persons, would be an extension of a facility presently operated by Tufts University in the D Street Project Area. It would provide short-term psychiatric preventive care treatment for individuals with family problems; there would be no correctional (crime-drug-alcohol-related) treatment. It is proposed to serve the project area and local community referrals. Day care center would have provisions for 14 children. Related professional offices would occupy the ground floor. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3509, brought by the Boston Housing Authority, 242-244 West Broadway, South Boston, for two variances for a change of occupancy from six apartments and store to halfway house, day care center, and professional offices in a general business (B-1) district, the Boston Redevelopment Authority recommends approval with the provisos that the halfway facility provide short-term preventive care psychiatric treatment to those residing in the D Street Project Area and local community only and that no correctional (crime-drug-alcohol-related) treatment be allowed.



Z-3509

242-244 WEST BROADWAY
(S. B.)

SECOND

THIRD

WEST BROADWAY

ST. PETER & PAUL
CATHOLIC
CHURCH

WEST

FOURTH

WEST FIFTH

WEST SIXTH STREET

ST.

STREET

CROWLEY

STREET

STREET

PLEASANT

JOYCE

WAY

WAY

ORION

WABOTIA

POLICE
STATION

JOHN J.
HAYES

JOHN J.
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8

Board of Appeal Referrals 1/14/76

Hearing: 1/20/76

Petition No. Z-3510
Eastern Greyhound Lines
10 St. James Avenue, Boston
at Park Square

One-story structure - general business (B-10) district.

Purpose: repair and paint existing sign.

Violation:

Section 11-5. A sign nonconforming to the code may not be changed structurally or in content or replaced except in accordance with code.

Essentially a panel depicting the Greyhound logo would be replaced with a new panel reflecting design changes made nationally in the identification symbol. There would be no increase in size. Proposal complies with conditional use requirements. Recommend approval.

VOTED: In reference to Petition No. Z-3510, brought by Eastern Greyhound Lines, 10 St. James Avenue, Boston, for a conditional use to repair and paint existing sign in a general business (B-10) district, the Boston Redevelopment Authority recommends approval. Proposed sign modernization complies with conditional use requirements.

Board of Appeal Referrals 1/14/76

Hearing: 1/20/76

Petition No. Z-3511
St. Mark's Episcopal Church
73½ Columbia Road,
Dorchester
near Seaver Street

Two-story structure - residential (R-.8) district.

Purpose: change occupancy from one-family dwelling and parish house to one-family dwelling, parish house, and day care center.

Violation:

Section 8-7. A day care center for 77 children is conditional in an R-.8 district.

Day care facility is existing and beneficial to the community. Site is appropriate. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3511, brought by St. Mark's Episcopal Church, 73½ Columbia Road, Dorchester, for a conditional use for a change of occupancy from one-family dwelling and parish house to one-family dwelling, parish house, and day care center in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided day care facility complies with all City and State regulations.



73 1/2
Z-3511
COLUMBIA ROAD
(DOR.)

Board of Appeal Referrals 1/14/76

Hearing: 1/20/76

Petition No. Z-3512
Chamberlayne College
209-211 Commonwealth Avenue,
Boston
near Exeter Street

3½-story structure - apartment (H-5-70) district.

Purpose: change occupancy from school, library, private chapel to professional offices.

Violations:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Section 8-7. Professional offices are conditional in an H-5-70 district.

It is proposed to remodel structure to accommodate professional (law) offices.

Staff is amenable to office use on the first floor and restoration of basement and upper stories for residential occupancy. The Neighborhood Association of Back Bay strongly supports reconversion to residential use, but in the opinion of staff, office use of the first floor would be more practical since less alteration would be required and the exceptionally fine architectural detailing would thereby be preserved.

Recommend approval of offices for first floor and residential for basement and upper floors.

VOTED: In reference to Petition No. Z-3512, brought by Chamberlayne College, 209-211 Commonwealth Avenue, Boston, for a conditional use for a change of occupancy from school, library, and private chapel to professional offices in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval, ~~of office use on the first floor in order to preserve the fine architectural detailing and restoration of the basement and upper floors to residential occupancy.~~

LAGOON

STORROW

Z-3512

209-211 COMMONWEALTH AVE.
(B.P.)

ST.

DRIVE

FAIRFIELD

BEACON

MARLBOROUGH

COMMONWEALTH

COMMONWEALTH

COMMONWEALTH

DARTMOUTH

WALK

ST.

AVENUE

AVENUE

AVENUE

28

STREET

ST.

STREET

CORLEY
SQUARE

Board of Appeal Referrals 1/14/76

Hearing: 1/27/76

Petition No. Z-3513
Mary Variste
60 Tennis Road, Mattapan
near Fottler Road

Two-story structure - residential (R-.5) district.

Purpose: to change occupancy from one-family dwelling and garage to one-family dwelling and day care center for 30 children.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A day care center is conditional in an R-.5 district.		
Section 14-2. Lot area is insufficient.	11,000 sf	4,961 sf
Section 15-1. Floor area ratio is excessive.	.5	.6
Section 23-3. Off-street parking is insufficient.	3 spaces	0

Use would be inappropriate in this predominantly low density residential neighborhood. The small one-family dwelling, providing only two rooms and basement, combined with the small lot area are inadequate and cannot support the proposed facility. Recommend denial.

VOTED: In reference to Petition No. Z-3513, brought by Mary Variste, 60 Tennis Road, Mattapan, for a conditional use and three variances for a change of occupancy from one-family dwelling and garage to one-family dwelling and day care center in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Use would be inappropriate in this predominantly low density residential neighborhood. The small one-family dwelling, providing only two rooms and basement, combined with the small lot area are inadequate and cannot support the proposed facility.



ALMONT STREET PLAYGROUND
Z-3513
60 TENNIS ROAD
(MATT.)

Board of Appeal Referrals 1/14/76

Hearing: 1/27/76

Petitions Nos. Z-3514-3515
Boston Redevelopment Authority
Jordan Marsh Company
504-552 Washington Street and
61-79 Chauncy Street, Boston
bounded by Bedford Street, Harrison
Avenue Extension, Norfolk Place,
Exeter Place

Approximately 79,000 square feet of land - general business (B-10) district.

Purpose: to use premises for commercial open air parking - 232 cars.

Violation:

Section 8-7. Parking lot is conditional in a restricted parking district.

Proposed temporary parking use would terminate upon commencement of Lafayette Place development Recommend approval.

VOTED: In reference to Petitions Nos. Z-3514-3515, brought by Boston Redevelopment Authority and Jordan Marsh Company, 504-552 Washington Street, 3-21 Bedford Street, 38-46 Harrison Avenue Extension, 4-6 Norfolk Place, and 61-79 Chauncy Street, 2-4 Exeter Place, 31-39 Harrison Avenue Extension, 27-43 Bedford Street, Boston, for two conditional uses to use premises for commercial open air parking for 232 cars in a general business (B-10) district, the Boston Redevelopment Authority recommends approval. Proposed temporary parking use would terminate upon commencement of Lafayette Place development. Facility meets restricted parking area conditions.

Z-3514-15

504-552 WASHINGTON ST.

61-79 CHANCY ST.

(B.P.)



VOTED: In reference to Petition No. Z-3448, brought by Quinzani Brothers, Inc., 380 Harrison Avenue, Boston, for a variance to erect a one-story addition to a bakery in a manufacturing (M-2) district, within the New York Streets Urban Renewal Area, the Boston Redevelopment Authority hereby approves the plans as submitted as being in accord with the Urban Renewal Project Plan.



Z-3448
380 HARRISON AVE.
(B.P.)

